



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Fifty-seventh session

Summary record (partial)* of the 1192nd meeting

Held at the Palais des Nations, Geneva, on Thursday, 13 February 2014, at 3 p.m.

Chairperson: Ms. Amelie

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- * No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Initial report of Qatar (continued) (CEDAW/C/QAT/1; CEDAW/C/QAT/Q/1 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Qatar took places at the Committee table.*
2. **Ms. Al-Shafei** (Qatar) said that her Government had accepted part of recommendation No. 15, contained in the report of the Working Group on the Universal Periodic Review (A/HRC/14/2, para. 85), including to adopt a national plan against gender-based violence, and rejected the other.
3. **Ms. Al-Hur** (Qatar) said that women seeking a place in shelters run by the Qatar Foundation for Combating Human Trafficking were interviewed in the presence of a lawyer and psychologist. An assessment of their needs was conducted case by case. Medical services, legal counselling and assistance with filing complaints with the police or the courts were made available to them.
4. **Mr. Al-Muhannadi** (Qatar) said that prostitution and all related activities were illegal. The definition of trafficking in persons under the national law was in line with the terms used in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. The law covered different forms of trafficking, set forth protection measures for victims of trafficking and prostitution and established criminal penalties for offenders. Such offences were also punishable under the Criminal Code. Qatar cooperated at the regional and international levels in efforts to combat human trafficking. Shelters were available for victims, who were afforded the full protection of the law.
5. **Mr. Al-Obaedli** (Qatar) said that the State party was considering the introduction of electronically secured contracts for migrant workers in order to prevent tampering by employers. It was a criminal offence for an employer to withhold the passports of migrant workers. The Ministry of Labour employed only 200 labour inspectors, who were too few in number to deal with the large amount of contracts generated by the 164 employment agencies operating in the country.
6. **Ms. Al-Easa** (Qatar) said that migrant workers whose passports were withheld by their employers had the right to file a complaint against them and to retrieve their documents. As a rule, complaints were filed by their embassies.
7. **Ms. Gabr** said that the Qatar Foundation for Combating Human Trafficking should establish more shelters and step up efforts to rehabilitate victims. More needed to be done to make migrant workers aware that it was illegal for employers to withhold their passports in order to help to end the practice.
8. **Ms. Al-Easa** (Qatar) said that the Qatar Foundation for Combating Human Trafficking and other foundations were funded by the State. On their request migrant workers in difficulty received counselling and assistance in returning to their home countries. The Government was considering ways of providing more services to migrant workers.
9. **Ms. Al-Hur** (Qatar) said that as only 107 women had sought shelter with the Qatar Foundation for Combating Human Trafficking between 2008 and 2013, there was no need to open new shelters. The situation would be reviewed in the event of an increase in the number of victims seeking help.

10. **Ms. Haidar**, noting that there had been no female members of the Majlis Al-Shura (Advisory Council), the legislature of Qatar, for its past four terms, said that impending elections and planned amendments to electoral law presented an opportunity to boost the presence of women in political life, for instance by introducing a quota to guarantee a minimum level of female representation in the Majlis.

11. **Ms. Pires** regretted that the State party's initial report lacked statistical data disaggregated by sex on the proportion of women occupying decision-making positions in the public and private sectors. Such data was vital to the Committee for the purposes of assessing progress on efforts to achieve equality between the sexes in Qatar. She asked what was being done to increase the presence of women in the legal profession and the courts. The prohibition against women's leaving the country for protracted periods without an accompanying family member constituted a significant obstacle to their career development.

12. **Ms. Bareiro-Bobadilla** said that, according to one set of statistics, 38 per cent of voters in Qatar would favour female candidates. She asked whether it was possible to envisage a woman on the throne in Qatar and when women might be seen sitting on the country's highest courts. A strategy to promote equal participation in national political life was needed.

13. **Ms. Al-Easa** (Qatar) said that the Standing Committee on Elections worked to raise public awareness of electoral processes and women's eligibility to stand for election. One woman had recently been elected to the Municipal Council. New electoral legislation, when adopted, would be accompanied by a strategy to encourage women to participate in public life, which in turn would improve their chances of being elected and occupying senior political posts.

14. **Ms. Al-Murekhi** (Qatar) said that current legislation already provided for gender equality and encouraged equal employment opportunities. Progress had also been made on the number of women who held senior diplomatic positions.

15. **Ms. Al-Easa** (Qatar) said that there was no obstacle to women's holding senior posts in the judiciary. Women enjoyed the same right to promotion as their male counterparts.

16. **Ms. Schulz** regretted that the State party had not provided the statistical data relating to article 9 of the Convention and nationality matters, as the Committee had requested in the list of issues. Article 10 of the Nationality Act No. 38 of 2005 ran contrary to article 9, paragraph 1, of the Convention, as Qatari women who married foreign nationals automatically lost their Qatari nationality if they acquired that of their husbands and could only reacquire it if they renounced that nationality. Furthermore, foreign men who married Qatari women could not acquire Qatari nationality at all. Given that international treaties were supposed to have primacy over domestic law in the State party, which had made no reservation to article 9, paragraph 1, she asked when article 10 of the Nationality Act would be amended to bring it into line with the Convention.

17. Turning to the subject of children with a parent who was a non-national, she said that information before the Committee indicated that such children did not enjoy the same benefits as Qatari children, such as access to scholarships and health insurance when they studied abroad. Applicants for naturalization required 25 years' uninterrupted residence in the State party, during which they were not permitted to leave the country for more than six months at any one time, effectively making it impossible for them to study abroad. Upon naturalization, new citizens had to wait another five years in order to acquire most of the rights of other Qataris. Even then, they did not enjoy equal political rights. She asked whether the State party would consider withdrawing its reservation to article 9, paragraph 2, of the Convention and amending the Nationality Act with a view to facilitating the

naturalization of children of non-Qataris and granting them all the rights that normally came with citizenship.

18. **Mr. Al-Muhannadi** (Qatar) said that in addition to 25 years' uninterrupted residence in Qatar, persons applying for Qatari citizenship must have a record of good conduct and an income. Nationality in Qatar was determined by *jus sanguinis* through the father. Dual nationality was not recognized. All other citizenship regulations applied equally to all residents of Qatar and were not discriminatory. The Nationality Act had constitutional force and could not be amended until at least 10 years had passed since its enactment. The Government would look into amending the Act in due course and work with the Supreme Council for Family Affairs and National Human Rights Committee to ensure that children of Qatari mothers were given priority in the naturalization process.

19. **Ms. Al-Easa** (Qatar) said that Qatari women had the right to retain their nationality unless they acquired another nationality. Children with a non-national parent who wished to study abroad could do so without jeopardizing their applications for Qatari nationality, because time spent studying at accredited educational institutions abroad was counted as time spent in Qatar. In any event, most students returned at least every six months to spend holidays with their families.

20. **Ms. Schulz** said that the State party should nevertheless reconsider its position on dual nationality. One approach could be to recognize dual nationality for children until they reached the age of 18, at which point they could opt for one or the other.

21. **Ms. Jahan** asked how many bidoons, or stateless persons, particularly women, had obtained Qatari citizenship, whether bidoon children were registered at birth or in the register of residents and had access to education and to what extent did bidoon women enjoy the right to health services and employment.

22. **Mr. Al-Muhannadi** (Qatar) said that the Government regularly monitored the number of bidoons in the country, which remained low. Specific legislation had been drawn up to provide the bidoon community with temporary residence permits which allowed it to access health and education services.

23. **Ms. Gbedemah** asked why so few girls pursued a vocational education as compared with general secondary education. What was the status of the plans for the establishment of a technical secondary school for girls, including medical laboratory science and other technical subjects, and how were girls being encouraged to follow technical and vocational streams? Would the delegation provide information on and reasons for separate curricula for girls and boys in certain schools in Qatar? Why was there a significantly higher number of girls than boys attending school? No data had been provided on the enrolment rates of Qatari and non-Qatari women at tertiary level.

24. **Ms. Al-Sulaiti** (Qatar) said that technical subjects were incorporated in the general secondary school curriculum for all students. Boys and girls were given career guidance early on at the secondary level of education, including field visits to workplaces to open students up to the possibility of pursuing a technical career path. The general school curriculum included optional subjects such as law and business and students were required to do internships to obtain school-leaving certificates. Such internships took into account the needs of the labour market and the community and provided equal opportunities for men and women. In addition, several schools and universities specializing in subjects such as graphic design, medicine and catering had been established. The enrolment rate of women at Qatar University stood at 75 per cent. The same school curriculum was taught to boys and girls in all educational establishments but there were different types of schools, such as single-sex and independent schools. Lastly, girls accounted for 58 per cent of students who had received grants in Qatar and 56 per cent of those abroad.

25. **Ms. Patten** expressed deep concern about the requirement for a woman to obtain the consent of a male guardian when seeking employment, which appeared to be at variance with the 2030 national vision document. Might the delegation indicate the position of the Supreme Council for Family Affairs on that requirement and any measures to withdraw it? Reports that men earned up to 50 per cent more than women were regrettable. Had the Supreme Council for Family Affairs or the National Human Rights Committee called for a revision of the Human Resources Administration Act to redress the discriminatory provisions in relation to gender equality in employment?

26. Furthermore, it was a matter of serious concern that national labour law did not cover domestic workers. While some rights might be extended to domestic workers through employment contracts, a law was needed for the terms of the contracts to be properly enforced. She asked whether there was a time frame for the adoption of legislation on domestic workers, whether it complied with the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189), whether it provided for the establishment of a reporting mechanism for infringements of rights and for mandatory weekly rest periods and what was the position of the Supreme Council for Family Affairs on the draft. Were there plans to accede to ILO Convention No. 189? Lastly, what steps were being taken to abolish the sponsorship, or *kafala*, system and to ensure that domestic workers' passports were not confiscated upon arrival in Qatar, illegal recruitment fees were not charged and signed contracts were not altered? How did the Government envisage working with other Governments to ensure that domestic workers arrived in the country free of debt?

27. **Mr. Al-Obaedli** (Qatar) said that the country's legislation contained no requirements for the consent of a male guardian for women seeking employment. The national labour law was based on the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), which Qatar had ratified in 1976. It enshrined gender equality and included provisions on wage equality, equal opportunities for training and promotion and employment protection, including maternity leave and the prohibition to work in jobs deemed hazardous. The Act on human resources did not discriminate between men and women and recruitment was based on merit. The bill on domestic workers was currently under consideration by the legislature and would contain provisions concerning working hours and leave. Domestic workers were protected by the Civil Code, which also regulated contracts between employers and domestic workers, and by bilateral agreements with numerous labour-exporting countries. The Ministry of Labour was responsible for monitoring employment agencies and conducted unscheduled labour inspections. Fourteen employment agencies of domestic workers were prosecuted in 2012 for breaching the law.

28. **Ms. Swankwo**, noting with concern the widespread negative attitudes and lack of knowledge about HIV/AIDS, asked about measures to raise awareness, especially among women, and about travel restrictions on foreign persons living with HIV/AIDS. Did the Government envisage reviewing mandatory HIV testing of migrant workers in accordance with global standards, which had a particularly negative impact on female migrant workers who tested positive for HIV/AIDS and were often forced to leave the country? Despite relatively low numbers of HIV/AIDS cases, the prevalence rates were increasing. Were there measures to control mother-to-child transmission? Did women have access to legal abortion in cases of rape, sexual assault or incest? In the light of reports that contraceptives were only used to space pregnancies, she asked whether Qatari women could exercise their reproductive health rights to choose the number of children that they wished to have.

29. **Ms. Al-Murkhi** (Qatar) said that workers were tested for various communicable diseases. Public awareness of HIV/AIDS was raised in hospitals and modules on preventing transmission were included in the school curricula.

30. **Ms. Al-Sulaiti** (Qatar) said that tests, including for HIV/AIDS and hepatitis, were available to all pregnant women in obstetric centres and hospitals to reduce mother-to-child

transmission. The law required the authorization of a panel of three medical specialists for an abortion to be performed. The Ethics Committee at the Women's Hospital, under the Hamad Medical Corporation, ensured compliance with regulations on abortion and decided on cases involving rape and HIV-positive women. Contraceptives were available to all women in primary health-care centres for family planning and measures had been taken under the national health strategy and the primary health-care strategy to raise public awareness in that area.

31. **Ms. Zou Xiaobao** said that while she was pleased to note that both sexes had the same property ownership rights, it was difficult for women to exercise those rights in practice; she sought clarification as to why women encountered such difficulties and asked what steps the Government had taken to ensure that women were aware of their rights. She wished to know whether the Government had launched initiatives to eliminate customs that impeded women's enjoyment of their rights and to increase women's access to credit. Did men and women have equal access to credit for starting up or building small businesses?

32. **Ms. Al-Easa** (Qatar) said that women in Qatar were free to own property and had full access to credit; 8,850 women currently owned houses and more than 4,000 loan applications from women to buy or build a house had been approved. Women were fully aware of their rights and no customs existed that would curb the enjoyment of those rights.

33. **Ms. Hayashi** urged the Government to reconsider its reservations to articles 15 and 16 of the Convention. She said that the Committee had been informed that women in Qatar must have the approval of their male guardian to obtain a passport or driving licence and to travel abroad; she asked whether any complaints lodged by women in that regard had been examined by the courts or the National Human Rights Committee.

34. She wished to know how many marriages of girls under the age of 16 had been approved by the courts since the accession of the State party to the Convention and what criteria had been used by judges to validate such marriages. She asked whether the bill on family procedure prepared by the Council of Ministers included provisions to end discriminatory inheritance practices and how the Government had engaged with community and religious leaders and women's groups to reform custody laws.

35. **Ms. Jahan** asked for information regarding women's legal status as witnesses in court in Qatar, whether Muslim women could marry non-Muslims and whether a link existed between the decrease in polygamy and the increase in the divorce rate given that women often requested a divorce when informed that their husband planned to take a second wife. She recalled that general recommendation No. 21 on equality in marriage and family relations discouraged polygamy.

36. **Ms. Acar**, referring to the law governing marriage to non-nationals, asked for clarification of the meaning of the "social reasons" for such marriages. She also wished to know whether mediation took place in divorce proceedings, including on the grounds of domestic violence.

37. **Ms. Al-Easa** (Qatar) said that legislation requiring women to obtain their guardians' consent in order to travel and hold a driving licence had been repealed.

38. **Ms. Hind Al-Sada** (Qatar) said that early marriage was rare in Qatar. A committee had been established to monitor marriages involving minors under 16 years of age and examine the issues surrounding the minimum age for marriage. Mothers were granted custody of their children until they reached the age of 13 for boys and 15 for girls, after which time custody was transferred to the father. The law also allowed women to retain guardianship of children with special needs. The Family Counselling Centre mediated in divorce cases.

39. **Ms. Al-Thani** (Qatar) said that there were 10 circumstances in which women could inherit the same amount as their brothers, and they occasionally inherited more.
40. **Ms. Al-Easa** (Qatar) said that husbands decided on residence, with the consent of their wives. The right of wives to request a separate residence, to study and to travel must be stipulated in the marriage contract, which could not be drafted by women; most marriage contracts did not contain such stipulations. The Social Rehabilitation Centre provided family counselling and attempted to resolve disputes that might otherwise lead to divorce.
41. **Ms. Jahan** asked whether the State party would be willing to reconsider making gradual changes to or ultimately withdrawing its reservations to the Convention and examine the gender equality measures adopted in other Islamic countries.
42. **Ms. Hayashi** asked whether women could challenge inheritance rulings and, if so, on what grounds. Would Qatar consider prohibiting early marriage and raising the minimum age to 18 for girls?
43. **Ms. Haidar** said that the Majlis Al-Shura should be involved in the debate on women's rights so that relevant laws could be passed and a quota for women's representation in the legislative body should be implemented at the next election.
44. **Ms. Acar** asked whether there was mediation in divorce cases where violence had occurred.
45. **Ms. Patten** asked whether, in practice, women required the approval of their guardians to obtain a passport, travel and work, even though the relevant legislation calling for such approval had been repealed. Given that Qatar had ratified the Convention on the Rights of the Child, she asked why the best interests of the child were not considered with regard to custody and early marriage.
46. **Ms. Al-Easa** (Qatar) said that the Majlis Al-Shura was currently limited to a consultative role. Efforts would be made to ensure sufficient representation of women in the parliament once the first elections had taken place; however, women's participation in the Majlis would also depend on their willingness to stand for election. While some families or employers might require the authorization of a woman's guardian for her to work, such authorization was not required by law.
47. Polygamy was permitted under sharia law but was rare in Qatar, where the law provided that a man must seek the approval of his first wife in order to take a second. Most divorce cases in which mediation was successful did not involve domestic violence. Domestic violence cases were covered by the Criminal Code and other laws. Pending draft legislation to streamline family proceedings would improve the settlement of family disputes. Turning to the reservations made to the Convention, she said that the Government of Qatar was willing to examine the best practices of other Islamic countries with a view to possible reforms. Sharia law did not permit Muslim women to marry non-Muslims.
48. A bill was being examined that would raise the minimum age for marriage to 18 for women, in accordance with the Convention on the Rights of the Child. Furthermore, the Family Code provided that the best interests of the child should be taken into account in custody cases, for example by granting permanent custody of children with disabilities to the mother.
49. **Mr. Al-Muhannadi** (Qatar) said that, by law, women did not require the authorization of a guardian to travel.
50. **Ms. Al-Easa** (Qatar), thanking the Committee for its comments, said that the meeting had been a valuable opportunity to discuss the country's policies on the rights and status of women. Qatar was committed to ongoing cooperation with the Committee to achieve the goals of the Convention.

51. **The Chairperson** said that the Committee encouraged the State party to adopt all possible measures to implement its recommendations. Speaking in her capacity as an expert, she said that the State party's significant efforts to transform its society should be redoubled. It was vital for Qatar to reconsider its reservations to the Convention and she hoped that it would follow the lead of other Islamic countries. Lastly, legislation concerning migrant workers and violence against women should be strengthened.

The discussion covered in the summary record ended at 5.15 p.m.